

MICHIGAN SUPREME COURT



Office of Public Information

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FOR IMMEDIATE RELEASE

PROPOSED ELECTRONIC FILING PROJECT, STATEWIDE STRATEGY FOR COURT COLLECTIONS AMONG AGENDA ITEMS FOR MICHIGAN SUPREME COURT'S PUBLIC ADMINISTRATIVE CONFERENCE ON JULY 15

LANSING, MI, July 14, 2009 – A proposal to allow electronic filing of court documents with the Eaton County Circuit Court is on the agenda for the [Michigan Supreme Court's public administrative conference](#) tomorrow.

The Eaton court is one of four state courts that tested electronic filing in a pilot project supported by Judicial Information Systems, the information technology division of the State Court Administrative Office. If approved, the Eaton County project would join Oakland County Circuit Court, which offers electronic filing for some types of cases, and Midland County Circuit Court, which has an e-filing program for asbestos cases. The [Michigan Court of Appeals](#) also offers [electronic filing](#) and service for appeals in criminal cases, Michigan Public Service Commission appeals, and civil appeals from Oakland County Circuit Court that were assigned to that court's electronic filing project.

Improved collections of court-ordered financial penalties is the focus of another item on the Supreme Court's administrative conference agenda. The Court will consider whether to publish for comment a proposed administrative order that would require state courts to adopt local collections plans. Courts would also be required to submit their collections data to the State Court Administrative Office. A [committee created by the Supreme Court](#) has also asked the Court to support a statutory change allowing courts to charge an additional fee for those who pay over time; the proceeds would go toward improving courts' collection efforts.

The public conference, which begins at 9:30 a.m., will take place in the Supreme Court's courtroom on the 6th floor of the [Michigan Hall of Justice](#) in Lansing. Administrative conferences are open to the public.

At its administrative conferences, the Court's seven justices discuss various administrative proposals and decide what action the Court should take on them. Administrative conference agendas are posted online at www.courts.mi.gov/supremecourt under "Resources."

The Court will also consider proposed appointments to the [Attorney Discipline Board](#) and [Attorney Grievance Commission](#). The AGC investigates and prosecutes attorneys who violate ethical rules, while the ADB acts as the adjudicative arm of the state's attorney discipline system. Three-member hearing panels, made up of attorney volunteers appointed by the ADB, preside at ethics hearings and recommend sanctions. The ADB also reviews hearing panel decisions and can appeal if the ADB believes the panel was too lenient.

Also on the July 15 agenda are proposed amendments to the [Michigan Court Rules](#) and [Michigan Rules of Professional Conduct](#), including:

- An amendment to MRPC 1.5, which sets ethical requirements for fee arrangements between attorneys and their clients. (ADM 2009-06)
- Changes to MRPC 3.1, “Meritorious Claims and Contentions,” and 3.6, “Trial Publicity.” (ADM 2009-06)
- An amendment to MCR 6.201 that would require prosecutors to preserve electronic evidence recorded by governmental agencies. The proposal, which was submitted by the State Bar of Michigan’s Representative Assembly, also provides that a defendant in a criminal case is entitled to have the judge instruct the jury that evidence that was not produced by the prosecution can be presumed to be adverse to the prosecution. (ADM 2008-38)
- Revisions to MCR 6.425 and MCR 6.610, also submitted by the Representative Assembly, that would require submission of presentence reports to defense counsel at least two days before the sentencing hearing. (ADM 2008-39)
- Amendments to juvenile court rules that would incorporate provisions of the federal Indian Child Welfare Act. (ADM 2008-43)
- Changes to MRPC 3.3, “Candor Toward the Tribunal,” 3.4, “Fairness to Opposing Party and Counsel,” and 3.5, “Impartiality and Decorum of the Tribunal.” (ADM 2009-06)
- An amendment to MCR 7.101 concerning page limits for briefs in appeals from agency decisions and in cases being appealed from district court to circuit court. (ADM 2009-14)

The Court will consider whether to publish the above proposals for public comment. If published, the proposed changes will be released by Supreme Court order and also placed on the Court’s web site for public viewing and reaction.

The Court will also discuss rules governing its public administrative conferences.

The complete agenda for the Court’s public administrative agenda is online at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/PublicHearings/07-15-09-AG.pdf>.

To view proposed or recently-adopted court rules online, and see related comments, go to <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/index.htm#proposed>.

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